

REMARKS

By the present amendment, claim 38 is amended to recite the invention with greater clarity. No new matter has been added.

Claims 38-43, 45-51, 56 and 57 were rejected in the Official Action as allegedly being obvious over the proposed combination of newly-cited Henderson (U.S. 2,033,574) in view of either Llorente Hompanera (U.S. Publication Application No. 2001/0043977) or Sollich (GB 697,071). That rejection is respectfully traversed for the following reasons.

Henderson discloses a rigid mold in two parts: a plate-shape base 15 and a hollow piece having a lateral wall 10 with an annular groove 13 with an upward opening. Said groove 13 is delimited by an outer vertical wall extending the lateral wall 10, a bottom wall extending outer vertical wall, an inner vertical wall extending the bottom wall, and an horizontal flange 14 extending from the free end of the inner vertical wall toward the outer vertical wall.

Thus, in Henderson, the groove is not radially opened and what is considered by the Official Action as an upper lip (the flange 14) is not projecting from the lower base of the upright side wall of the hollow piece.

Llorente Hompanera merely discloses the use of silicone in a mold for culinary preparation, which thus utilizes the flexibility of silicone as an alternative

mechanism for facilitating the removal of the baked good from the mold.

Sollich discloses a flexible mold 1 comprising a rigid plate-shaped base stiffener 4 vulcanised at the outer surface of the bottom wall of the mould.

Considering the applied references collectively, neither Llorente Hompanera nor Sollich would have provided the skilled artisan with any apparent reason to modify the orientation of the opening of the annular groove of Henderson, in which the plate 15 is held by quite all the groove (the bottom wall and the inner vertical wall), and the removable rigid plate may be fixed to the rigid lateral wall only because of the orientation of the groove.

Consequently, claims 38-43, 45-51, 56 and 57 are believed to be allowable relative to the proposed combination of Henderson in view of Llorente Hompanera or Sollich.

Claims 38-43, 45-53, 56 and 57 were also rejected in the Official Action as allegedly being obvious over the proposed combination of newly-cited Liotto (U.S. 4,644,858) in view of either Llorente Hompanera (U.S. Publication Application No. 2001/0043977) or Sollich (GB 697,071). That rejection is also respectfully traversed for the following reasons.

Liotto discloses a rigid mold having an upright side wall made of two parts articulated to each other by a vertical hinge. Thus, Liotto does not disclose a mold a wall in only one part (cf. in amended claim 38: "an annular continuous wall").

Llorente Hompanera again merely discloses the use of silicone in a mold for culinary preparation, which thus utilizes the flexibility of silicone as an alternative mechanism for facilitating the removal of the baked good from the mold; whereas Sollich discloses a flexible mold 1 comprising a rigid plate-shaped base stiffener 4 vulcanised at the outer surface of the bottom wall of the mould.

Thus neither Llorente Hompanera nor Sollich would have provided the skilled artisan with any apparent reason to replace the upright side wall in two hinged parts of Liotto by an upright side wall with a single part without removing the upper lip 12.

Consequently, claims 38-43, 45-53, 56 and 57 are believed to be allowable relative to the proposed combination of Liotto in view of Llorente Hompanera or Sollich.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance with claims 38-43, 45-53, 56 and 57, as amended. Allowance and passage to issue on that basis are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,
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